

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):



- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☒ 7. Other: *New generic claim! lacks appropriate reference to a Seq ID No. In addition the specification and Claims refer to improper sequence identifiers and should be amended to accurately reflect all sequences by their Seq ID No.*
Applicant Must Provide:
 - ☐ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing" appropriate
 - ☐ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
 - ☐ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

PatentIn Software Program Support

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PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR REPLY

In attached interview summary

Interview Summary	Application No.		Applicant(s)	
	09/647,457		SHINITZKY ET AL.	
	Examiner		Art Unit	
	Sharon L. Turner		1647	

All participants (applicant, applicant's representative, PTO personnel):

(1) Sharon L. Turner. (3) _____

(2) Lee Heiman. (4) _____

Date of Interview: 03 December 2003.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.
If Yes, brief description: _____

Claim(s) discussed: N/A.

Identification of prior art discussed: N/A.

Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☒ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Applicant's have chosen to amend their specification and claims with reference to a new generic SEQ ID NO. Claim 1 lacks appropriate reference to the SEQ ID NO. (SEQ ID NO:1). In addition the specification and claims apparently require amendment so as to incorporate the changes within the sequence listing. For example, previous SEQ ID NO:1 now appears to be SEQ ID NO:2, etc. Correction is required such that all sequences are referred to by their appropriate SEQ ID NO. In addition, the Examiner notes that the new generic sequence in claim 1, (SEQ ID NO:1) apparently lacks the addition of the second "X" after "X3" as represented in the claim. Further Applicants are cautioned that the representation of the sequences within SEQ ID NO:1 appears to newly represent species where the sequence includes "PP" or "AA" where such support is not apparent from the specification. Applicants may wish to provide support to the new generic sequence and/or to provide separate generic sequences where the "A" and "P" are fixed to either "AP" or "PA". The Examiner may consider the search together of such properly generic sequences within the generic claim.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Sharon Turner 12-3-03
Examiner's signature, if required



Image
M.S. NON-FEE AMENDMENT
Attorney Docket No. 24390

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

SHINITZKY et al.

Serial No.: 09/647,457

Art Unit: 1647

Filed: November 29, 2000

Examiner: S. Turner

For: **ASSAY FOR THE DIAGNOSIS OF SCHIZOPHRENIA BASED ON A NEW PEPTIDE**

TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- (1) Transmittal Letter;
- (2) Response and Amendment; and
- (3) Copy of Notice to Comply with Sequence Requirements.

The Commissioner is hereby specifically authorized to charge any required fee, or credit any overpayment, in connection with this matter to deposit Account No. 14-0112.

Respectfully submitted,

NATH & ASSOCIATES PLLC

Date: January 9, 2004

By: 

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